

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

IMPLICIT, LLC,

Plaintiff,

v.

NETSCOUT SYSTEMS, INC.,

Defendant.

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Case No. 2:18-CV-0053-JRG

ORDER

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is Plaintiff's Objection (Dkt. No. 117) to Magistrate Judge Payne's Claim Construction Memorandum and Order (Dkt. No. 111), which construes various terms from U.S. Patent Nos. 8,694,683, 9,270,790, and 9,591,104. Plaintiff objects to Magistrate Judge Payne's construction of the terms "sequence of [two or more] routines," "list of conversion routines," "state information," "convert one ore more packets having a TCP format into a different format" and related terms, and "execute a Transmission Control Proctocl ("TCP") and related terms, essentially re-urging the same arguments that were fully considered by Magistrate Judge Payne. (Dkt. No. 117).

Having reviewed Magistrate Judge Payne's Claim Construction Memorandum and Order, the parties' claim construction briefing (Dkt. Nos. 89, 93, and 96), and Plaintiff's Objections, the Court finds no error in Magistrate Judge Payne's constructions. Accordingly, Plaintiff's Objections (Dkt. No. 117) are **OVERRULED**.

So ORDERED and SIGNED this 9th day of May, 2019.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE